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John J. Stanley (SBN 202723)

Attorney for Defendant: Mariam Gevorkova

UNITED STATES DISTRICT COURT  
DISTRICT OF OREGON

UNITED STATES OF AMERICA,

Plaintiff,

vs.

MARIAM GEVORKOVA,

Defendant

Case No.: 6:20-cr-00409-MC

STATUS RE: DEFENDANTS  
COMPETENCY AT CHANGE OF PLEA  
PURSUANT TO THE COURTS REQUEST  
FOR BRIEFING.

Pursuant to the courts request for further briefing on the mental health status of Defendant Gevorkova, please be advised of the following:

1. Defendant Gevorkova executed the plea agreement on this matter on September 8<sup>th</sup>, 2020. At that time she was represented by attorney Fred Minassian. Current counsel, John J. Stanley, was retained on March 11<sup>th</sup>, 2022.
2. A competency hearing was requested by counsel for the Government and conducted on January 24<sup>th</sup>, 2023. On that day the court found the Defendant to be competent. However, based on the courts inquiry of the Defendant it was requested that counsel brief the court regarding the Defendants' mental health status at the time she executed the plea agreement. As of today, January 30<sup>th</sup>, 2023, Defense counsel is yet to have had direct contact with the treating physician at the time of the execution of the plea agreement.

- 1 3. Through a third-party defense counsel is informed that the prior treating physician will  
2 require a brief period to review the treatment records prior to offering an opinion  
3 regarding the Defendants medical status.  
4
- 5 4. It remains defense counsels' position that his communication with the Defendant has  
6 been cordial and efficient and having reviewed the discovery in this case and having been  
7 present at the Defendant's proffer, that the plea agreement offered reflects a fair and  
8 proportional assessment of the underlying case.  
9
- 10 5. However, from a stand point of fundamental fairness it is clearly advisable to seek the  
11 input of the treating psychiatrist at the time of the Defendants' change of plea.  
12
- 13 6. Additionally, counsel for Defendant expressed to the court a desire to be present with  
14 Mrs. Gevorkova at the time of sentencing. Despite best efforts, counsel has been unable  
15 to confirm airline tickets which would allow him to be present at 9:00am on January 31<sup>st</sup>,  
16 2023. While defense counsel is prepared and ready to appear via zoom, in light of the  
17 above, a brief continuance seems appropriate. On January 24<sup>th</sup>, 2023 The Court indicated  
18 it would not object to a continuance for 2 to 3 days if logistics required it. Consequently,  
19 in order to secure an airline reservation and the participation of Mrs. Gevorkova's former  
20 treating physician the defense respectfully requests The Court continue this matter to  
21 Monday, February 6<sup>th</sup>, 2023.  
22
- 23 7. Alternatively, should The Court deem it unnecessary to review the opinion of the prior  
24 Doctor, and wish to proceed with sentencing on January 31<sup>st</sup>, 2023, counsel for Mrs.  
25 Gevorkova will appear via zoom for that purpose.  
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27 /s/

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John J Stanley, counsel for Mariam  
Gevorkova